

These minutes are subject to formal approval by the Wyoming Zoning Board of Appeals at their regular meeting on May 6, 2013.

MINUTES OF THE WYOMING BOARD OF ZONING APPEALS
HELD AT WYOMING CITY HALL

April 15, 2013

The meeting was called to order at 1:30 P.M. by Chairman VanderSluis.

Members present: Beduhn Dykhouse Lomonaco
 Postema VanderSluis VanHouten

Member absent: Palmer

Other official present: James W. DeLange, Chief Building Official

A motion was made by Postema, and seconded by Beduhn to approve the April 1, 2013 minutes of the Board of Zoning Appeals meeting.

Motion carried: 6 Yeas 0 Nays

PUBLIC HEARING:

Appeal #V130004 P.P. #41-17-24-427-001
Linda Klunder
27 Floyd St. SW
Zoned B-2

The application requesting Use and dimensional variances from City Zoning Code was read by Secretary Lomonaco as follow:

1. Use variance from section 90-371 B-2 General Business District zoning to allow proposed division of a 126'x132' business district parcel into two residential lots, one with existing house and one for future single family house;
2. Variance from 90-45(4) to allow an existing 24'x24' detached accessory building to remain on proposed lot prior to construction of a principal building (house);
3. Variance from Table 90-891 regulating residential development;
 - a. Reduce minimum R-2 zone lot width of 65' required to two 63'x132' parcels.
 - b. Reduce minimum R-2 zone lot area of 8,400 square foot of proposed 8,316 square foot.
 - c. Reduce minimum sideyard setback of 7 foot required to 6.8 foot proposed at N.E. corner of existing house.

Secretary Lomonaco read a letter of opposition from Charlotte Lafata, 15 Floyd S.W. She was concerned that a new house would be built, and it would negatively affect the value of her property.

Chairman VanderSluis opened the public hearing.

Linda Klunder, 15 Pearson Ct., Lowell, asked to be allowed to split the lot. She has no intention at this time of building a house on the lot. Her mother is currently in a rest home. Ms. Klunder is just looking to get her best value out of the property, and wants to explore her options. She would like the property separated in case she has to sell the house and the one garage, then she could retain one half of the property with the other garage.

There being no further remarks, Chairman VanderSluis closed the public hearing.

DeLange said staff looked at the split request as creating a buildable lot. A builder may have to come in for other variances to place a house on the lot. This request is reasonable. All the lots to the west of this property are 63' wide. The lots across the street are 65' wide. As for the zoning variance, the business district line jogs around. The house to the east is also zoned commercial. The proposed lot would match existing lots.

A motion was made by VanHouten and seconded by Postema that the request for a variance in application no. V130004 be granted, accepting staff's Finding of Facts.

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or class of use in the same vicinity and district because this large parcel consists of two previous 63'x132' parcels intended for residential use. Like many of the parcels on the street, the two lots behind this parcel have 63 feet of frontage. Residential houses exist on all of them as well as on 65 feet wide parcels across the street. There remains yet another house to the east further into the B-2 general business district.
2. That such variance is necessary for the preservation and enjoyment of substantial property rights because it will allow the sale of a second parcel with its own existing garage/accessory building thereon for future construction of a modest single family house.
3. That the granting of such variance will not diminish the marketable value of adjacent land and improvements, or unduly increase congestion in the public streets because of the many existing single family houses in the immediate area, a new residence will enhance values of adjacent parcels. The public street is capable of additional residential traffic.
4. That the condition or situation of a specific piece of property, or the intended use of said property, for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation because it is very unique to have a "double wide" parcel such as this with business zoning, yet surrounded by single family houses.

Motion carried: 6 Yeas 0 Nays (Resolution #5352)

There were no public comments at the meeting.

The new business items were discussed by DeLange and the Board members.

DeLange invited the Board members to an Educational Opportunity designed to enhance the communication between the Zoning Board of Appeals, the City Council and the Planning Commission. The event will be held May 30, 2013 at 5:00 P.M. at the Wyoming Public Library. A light supper will be held.

Chairman VanderSluis encourage all the members to attend.

The meeting adjourned at 1:47 P.M.

Canda Lomonaco
Secretary

CL:cb